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\*E-Filed 4/26/05\*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

11 DIRECTV, INC., a California corporation, Case No. CV-04-3603 HRL  
12 Plaintiff, Hon. Howard R. Lloyd  
13 vs. **REQUEST FOR VOLUNTARY DISMISSAL**  
14 THAI VAN; **[PROPOSED]** **ORDER THEREON**  
15 Defendant.

18 Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff DIRECTV, Inc. (“DIRECTV”)  
19 hereby respectfully requests that the Court enter an Order dismissing the above-captioned action  
20 with prejudice as to Defendant THAI VAN (“Defendant”). This request is made on the grounds  
21 that Defendant and DIRECTV have entered into an agreement settling this matter. Pursuant to  
22 the terms of that agreement, DIRECTV agreed to voluntarily dismiss this action against  
23 Defendant, each party to bear its own attorneys’ fees and costs incurred in this action to date.

28 Defendant THAI VAN is the last remaining active Defendant in this action. This

1 entire action as to all remaining claims is therefore terminated in full.

2 DATED: April 26, 2005

Respectfully Submitted,

3 BUCHALTER, NEMER, FIELDS & YOUNGER  
4 A Professional Corporation

5 By: s/Sandeep J. Shah

6 Sandeep J. Shah  
7 Attorneys for Plaintiff DIRECTV, Inc.

8 **ORDER**

9 Having read the foregoing Request for Voluntary Dismissal of Defendant VAN  
10 filed by Plaintiff DIRECTV, Inc., and such other pleadings and papers deemed appropriate by the  
11 Court, and GOOD CAUSE appearing therefore, the Court ORDERS as follows:

- 12 1. This action is hereby dismissed with prejudice as against Defendant VAN;
- 13 2. Each party shall bear its own attorney's fees and costs incurred in this action to  
14 date; and
- 15 3. As Defendant VAN is the last remaining active Defendant in this action, this entire  
16 action as to all remaining claims is hereby terminated in full.

17 DATED: 4/26/05

18 /s/ Howard R. Lloyd

19 Honorable Howard R. Lloyd  
20 Judge of the United States District Court  
21 Northern District of California